

THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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THE UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 1:20-CR-183

Hon. Robert J. Jonker  
Chief U.S. District Court Judge

ADAM DEAN FOX,  
BARRY GORDON CROFT, JR.,  
KALEB JAMES FRANKS,  
DANIEL JOSEPH HARRIS,  
BRANDON MICHAEL-RAY CASERTA,

Defendants.

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**DEFENDANTS' MOTION FOR EXTENSION  
OF TIME IN WHICH TO FILE PRETRIAL MOTIONS BASED ON THE  
MOST RECENT RULE 16 DISCOVERY DISCLOSURE BY THE  
GOVERNMENT**

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Defendants, through counsel, request the Court extend, until January 31, 2022, the deadline for filing pretrial motions in this case if those motions are based at least in part on the government's most recent Rule 16 discovery disclosure. *See* Local Crim. R. 12.3. Defendants state the following in support of the motion:

1. The current deadline for filing motions is January 14, 2022. *See* Order Setting Dates, ECF No. 347, PageID.2155.
2. Defendants cannot file motions until they have reviewed all discovery.
3. The government previously indicated that its last Rule 16 discovery disclosure would be provided to defendants during September of 2021.

4. The disclosure occurred on or about November 30, 2021. ECF No. 374-1, PageID.2477.

5. The disclosure consists of 385 GB of data.

6. Defendants' Coordinating Discovery Attorney ("CDA") immediately began to review, deduplicate, and process the materials contained in the disclosure based on the same procedures used to process all discovery in this case. *Id.*

7. Before the Defendants can begin review, the discovery must be processed by the CDA.

8. Because of the amount of material disclosed, the CDA will not be able to complete processing until January 3, 2022.

9. The discovery will then be sent to counsel by overnight mail and counsel will begin its review.

10. If pretrial motions are appropriate based on the information contained in the new disclosure, it will be impossible for counsel to complete such motions on or before January 14, 2022. *See* Order Setting Dates, ECF No. 347, PageID.2155.

11. Defendants are not seeking an extension to file motions based on discovery that was previously provided to them.

12. Additional time will allow a full and complete presentation of any additional relevant motions, as well as an evaluation of all pretrial issues.

13. The government objects to the relief requested in this motion.

**WHEREFORE**, Defendants request the Court grant an extension of time until January 31, 2022, in which to allow Defendants to file pretrial motions that are based,

at least in part, on information contained in the government's discovery disclosure occurring on or about November 30, 2021.

Date: December 31, 2021                      By: /s/ Christopher Gibbons  
Christopher Gibbons  
Attorney for Defendant Fox

Date: December 31, 2021                      By: /s/ Joshua A. Blanchard  
Joshua A. Blanchard  
Attorney for Defendant Croft

Date: December 31, 2021                      By: /s/ Scott Graham  
Scott Graham  
Attorney for Defendant Franks

Date: December 31, 2021                      By: /s/ Julia Kelly  
Julia Kelly  
Attorney for Defendant Harris

Date: December 31, 2021                      By: /s/ Michael Hills  
Michael Hills  
Attorney for Defendant Caserta